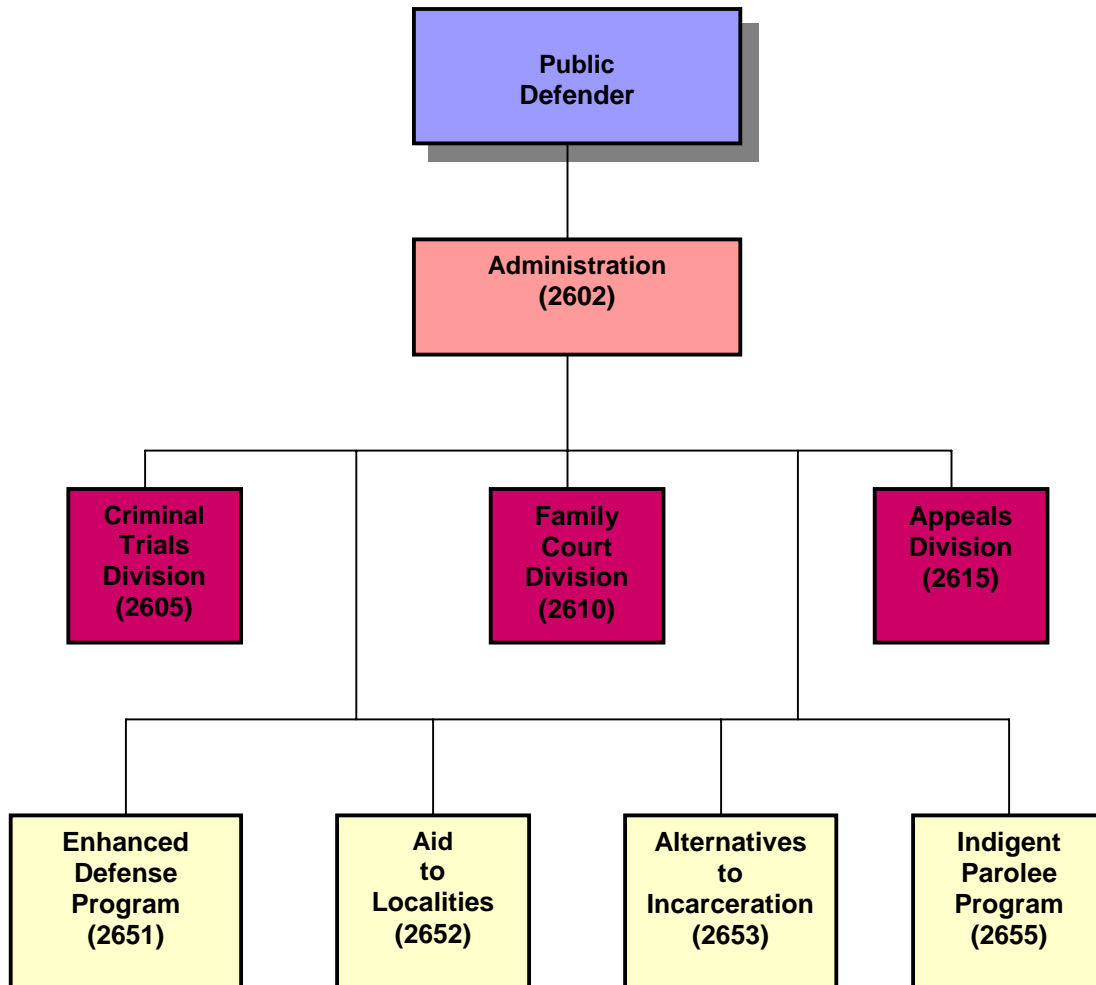
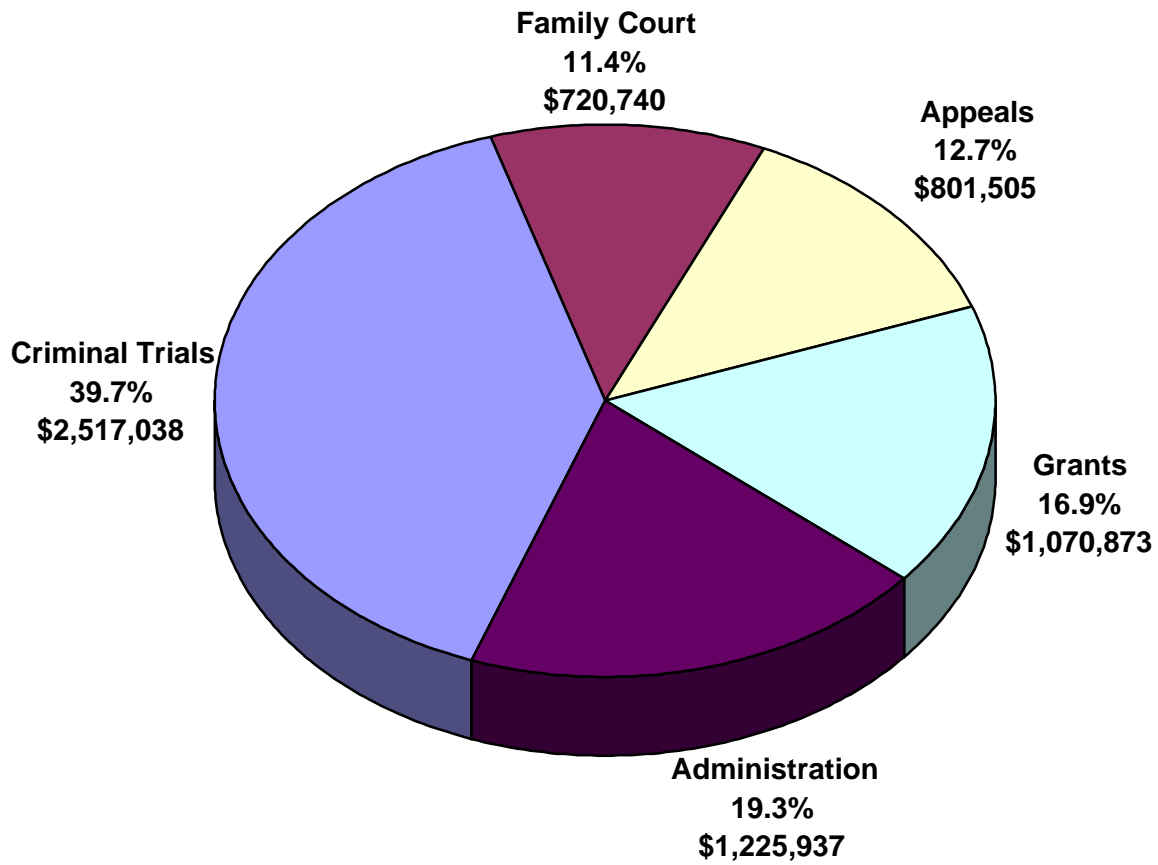


## **PUBLIC DEFENDER (026)**

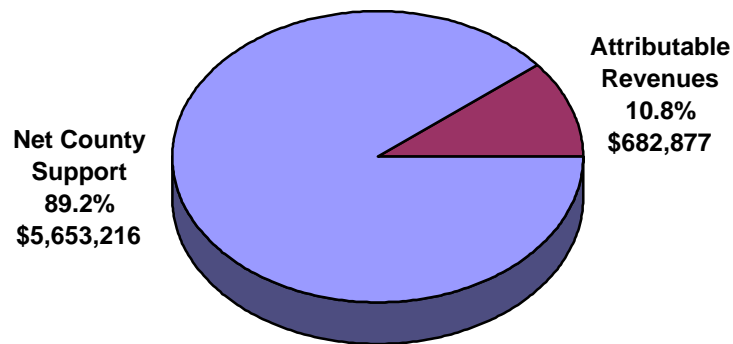


# **PUBLIC DEFENDER**

## **2004 Budget - \$6,336,093**



## **Net County Support**



## **DEPARTMENT: Office of Public Defender (026)**

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### **DEPARTMENT DESCRIPTION**

The Public Defender is appointed by the County Legislature for a two-year term. The Public Defender's Office represents indigent individuals in criminal court proceedings, Family Court, and Surrogate Court. Services are mandated by state and federal law, but are subject to some county control. The Public Defender heads a professional staff which includes attorneys and support staff.

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### **STRATEGIC FRAMEWORK**

#### **Mission**

In compliance with federal and state constitutions, the Monroe County Public Defender's Office is a legal service component of Monroe County Government which: provides quality legal representation to its clients; advocates for the protection of the constitutional rights of its clients; contributes to the efficient and effective operation of the criminal justice system in Monroe County; advocates and works toward achieving results that have the greatest likelihood to help rehabilitate clients and prevent their committing new crimes; and creates a work environment that supports the empowerment and teamwork of its employees.

#### **Key Result Areas**

Customer Satisfaction: The legal service needs of our clients are met. Our clients have confidence and trust in our staff and the manner in which we deliver our services.

Productive Workforce: Our workforce strives to achieve maximum productivity and is properly trained and empowered to deliver the needed services to our clients.

Quality Services: We provide legal, and when appropriate, human services that are responsive to our clients needs and which reflect thorough preparation and presentation of both the legal and factual aspects of a client's case.

Quality of Life: We enhance the efficiency and effectiveness of this community's criminal justice system by providing quality legal defense services to the poor.

Fiscal Responsibility: We utilize our scarce resources effectively and efficiently to promote Monroe County's fiscal responsibility.

#### **Key Result Measures**

Customer Satisfaction: Clients satisfied with the services they receive. Clients satisfied with our responsiveness.

Productive Workforce: Employees satisfied with their work environment. Employees fully trained in office computer applications. Number of employees who received quality management training.

Quality Services: Reviews performed by criminal justice system personnel. Cases meeting National Legal Aid and Defenders Association (NLADA) performance guidelines. Establishment of caseload per attorney ratio vis a vis NLADA standards.

Quality of Life: Clients who successfully completed alternative programs and did not commit further crimes. Team efforts developed with other public safety sector departments and other justice agencies. Reviews performed by justice system personnel.

Fiscal Responsibility: Actual expenses compared to budgeted appropriations.

### 2003 Major Accomplishments

- Provided representation on nearly 20,000 cases in 2003
- Achieved a reduction in appellate case processing to an acceptable 12 to 14 months
- Almost all cases are completed within standards and goals

### 2004 Major Objectives

- Continue to provide good quality services to our clients with limited resources
- Continue to work toward achieving case processing and appellate case processing within acceptable levels
- Continue to pursue automation of work processes and efficiency enhancements to the New York State Public Defense Case Management system

## **BUDGET SUMMARY**

	<b>Amended Budget 2003</b>	<b>Budget 2004</b>
<b><u>Appropriations by Division</u></b>		
Administration	1,154,498	1,225,937
Criminal Trials	2,455,205	2,517,038
Family Court	720,835	720,740
Appeals	592,312	801,505
Differentiated Case Management	249,428	257,471
Aid to Localities	529,895	548,735
Alternatives to Incarceration	117,989	120,598
Indigent Parolee Program	132,514	144,069
<b>Total</b>	<b>5,952,676</b>	<b>6,336,093</b>
<b><u>Appropriations by Object</u></b>		
Personal Services	4,191,293	4,350,841
Expenses	450,525	510,386
Supplies and Materials	16,525	20,575
Employee Benefits	1,056,909	1,207,475
Interfund Transfers	237,424	246,816
<b>Total</b>	<b>5,952,676</b>	<b>6,336,093</b>
<b><u>Revenue</u></b>		
State Aid	720,356	657,877
722-D Contributions	25,000	25,000
<b>Total</b>	<b>745,356</b>	<b>682,877</b>
<b><u>Net County Support</u></b>	<b>5,207,320</b>	<b>5,653,216</b>

## **GRANT SUMMARY**

	<b>Amended Budget 2003</b>	<b>Budget 2004</b>
<b><u>Total Department</u></b>		
Appropriations	5,952,676	6,336,093
Revenue	745,356	682,877
Net County Support	5,207,320	5,653,216
<b><u>Grants</u></b>		
Appropriations	1,029,826	1,070,873
Revenue	720,356	657,877
Net County Support *	309,470	412,996
<b><u>Tax Impact</u></b>		
Appropriations *	5,232,320	5,678,216
Revenue	25,000	25,000
Net County Support	5,207,320	5,653,216

\* The Net County Support of the **Grants** amount is the required county match and is included in the **Tax Impact** Appropriations amount. Displaying the grant activity separately has no effect on the **Tax Impact** Net County Support.

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## **BUDGET HIGHLIGHTS**

*Increases in **Personal Services** reflect full funding for all current authorized positions. **Employee Benefits** increase due to higher costs for the retirement plan. Increases in **Expenses** are a result of a higher cost for rental of office space.*

*Overall **State Aid** Revenue decreases, resulting from a 15% decrease in funding for Aid to Localities, while all other state funding remains at last year's level.*

*The 2004 Adopted Budget reflects amendments made by the County Legislature. These changes are described in the Legislative Action section of the Budget document.*

**DIVISION DESCRIPTIONS****2003****2004****Administration (2602)****\$1,154,498****\$1,225,937**

The Public Defender, with the support of an administrative staff, develops policy alternatives and operating procedures, and provides direction, coordination and planning for all department activities. Specific administrative tasks include payroll, personnel, and budget functions. Except for several grant positions, the entire secretarial staff of the Public Defender's Office is included within the Administration division.

**Criminal Trials (2605)****\$2,455,205****\$2,517,038**

This division defends persons who are charged with crimes but cannot afford private counsel. Clients are represented at arraignments, preliminary hearings, trials and other court proceedings. Specific activities include: the processing of bail applications, the investigation of cases (interviews with defendants, witnesses and victims), and the preparation of motions and supporting legal memoranda.

**Family Court (2610)****\$720,835****\$720,740**

This division represents indigent persons in all phases of Family Court proceedings as required by Section 262 of the Family Court Act. When appropriate, clients are referred to various agencies for counseling and other services.

**Appeals (2615)****\$592,312****\$801,505**

The Appeals division represents indigent persons who appeal the judgments, dispositions, or orders of the Trial Court, Family Court or Surrogate Court. Attorneys assigned to this division prepare the legal briefs which are necessary to perfect a case on appeal.

**Enhanced Defense Program (2651)****\$249,428****\$257,471**

This program has enabled the department to hire additional attorneys and support staff to better represent the increasing caseload of drug arrests in Monroe County. Federal Anti-Drug Abuse block grant funding is distributed to certain localities by the State of New York. The county provides approximately 60% of program costs.

**Aid to Localities (2652)****\$529,895****\$548,735**

The state provides funding for attorneys and support staff in the Public Defender's Office through the Aid to Localities Program. Specific activities include researching cases, preparing briefs, motions, and other elements of cases, and representing clients at arraignments, preliminary hearings, trials and all other court proceedings. This division is 70% state funded.

**Alternatives to Incarceration (2653)****\$117,989****\$120,598**

This organization reflects the integration of work into the public defense function and is directly supervised by the Public Defender. This division is 35% state funded.

**Indigent Parolee Program (2655)****\$132,514****\$144,069**

The state provides funding for two attorneys who provide state mandated legal representation of individuals accused of violating the terms and conditions of parole. This division is 60% state funded.

**Performance Measures**

	<b>Actual 2002</b>	<b>Est. 2003</b>	<b>Est. 2004</b>
Criminal Trials Division			
New Cases	19,955	20,200	20,300
Felony	3,280	3,250	3,200
Misdemeanor	11,160	11,500	11,600
Violations	3,421	3,500	3,500
Probation Violations	1,061	1,100	1,080
Fugitive Warrants	93	60	70
Sex Offender Classification Hearings	55	45	50
Parole Assignments	885	745	800
Trials	209	180	190
Felony	79	75	75
Misdemeanor	98	95	100
Violations	32	10	15
Parole Violation Hearings	887	675	700
Parole Cases Closed	884	800	800
 Family Court Division			
New Cases	2,381	2,400	2,500
Closed Cases	1,803	1,650	1,700
 Appeals Division			
New Cases	206	180	180
New Family Court Appeals Assigned	N/A	15	20
Special Litigation Assignments	40	70	50
Appeals Pending	251	241	241
Briefs Filed	143	130	140
Appeals Closed	170	190	180



## **STAFF**

<b><u>Total</u></b>	<b><u>Title</u></b> <b>Full Time</b>	<b><u>Group</u></b>
1	Public Defender	26
1	First Assistant Public Defender	23
1	Second Assistant Public Defender	22
7	Special Assistant to Public Defender	21
1	Special Assistant to Public Defender-Appeals	21
13	Public Defender Assistant Grade 1	19
32	Public Defender Assistant Grade 2	17
1	Confidential Assistant to the Public Defender	16
1	Chief Investigator	14
2	Alternatives to Incarceration Worker	12
1	Executive Secretary to the Public Defender	12
4	Special Urban Investigator	12
1	Special Urban Investigator-Bilingual	12
5	Special Urban Investigative Assistant	10
1	Confidential Secretary, Division Heads	10
7	Legal Secretary II	8
2	Receptionist-Bilingual	5
<hr/> 81	<b>Total Full Time</b>	
81	<b>Total 2004</b>	